

Message Text

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ACTION CU-03

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TO SECSTATE WASHDC PRIORITY 6279

C O N F I D E N T I A L DACCA 1619

FOR CU/NEA NEWBERRY FROM CHARGE

E.O. 11652: GDS

TAGS: OEXC, BD

SUBJECT: VISIT OF BENGALIEE ATTORNEY-GENERAL

REF: (A) DACCA 1601; (B) STATE 73314

1. REF (A) REPORTS THAT ARRIVAL OF ATTORNEY-GENERAL SHAHABUDDIN AHMED WILL BE DELAYED FOUR RPT FOUR DAYS BECAUSE HE, AS CHIEF LEGAL OFFICERHOF BANGLADESH, MUST BE PRESENT IN COURT. REF (B) SAYS THAT IN LIGHT THIS BRIEF DELAY, SHAHABUDDIN AHMED CANNOT BE RESCHEDULED UNTIL, ASTOUNDINGLY, JUNE 9.

2. WHILE WE RECOGNIZE DELAY MUST INEVITABLY POSE A PROBLEM FOR PROGRAMMING AGENCY, WE WOULD MAKE A VERY REGRETTABLE MISTAKE IF WE ALLOW THEIR CONCERNS TO

JEOPARDIZE ATTORNEY-GENERAL'S VISIT. THIS MISSION ATTACHES SPECIAL IMPORTANCE TO SHAHABUDDIN AHMED'S VISIT FOR TWO REAONS. FIRST, THE ATTORNEY-GENERAL APPEARS TO US TO BE VERY SERIOUS IN HIS DESIRE TO USE VISIT TO INSTRUCT HIMSELF IN REGARD TO AMERICAN APPROACHES TO PROCESS OF LITIGATION; HE HAS TOLD US OF HIS OWN CONCERN WITH SOCIAL COSTS OF THE GLACIAL SLOWNESS WITH WHICH CASES, BOTH CIVIL AND CRIMINAL, ARE DISPOSED OF IN BANGLADESH AND HAS STRESSED HIS COMMITMENT TO SEEING JUSTICE DELIVERED ON TIMELY BASIS. SECOND, AND EVEN MORE IMPORTANT, RULE OF LAW IS AT
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PRESENT MORE THAN NORMALLY THREATENED IN BANGLADESH;

BOTH BENCH AND BAR ARE SEEKING TO PRESERVE ITS
SUBSTANCE AS JUDICIARY, AND JUST POSSIBLY THE ENTIRE
LEGAL SYSTEM, APPROACHES SIGNIFICANT CHANGES. AS
CHIEF LEGAL OFFICER OF BANGLADESH, ATTORNEY-GENERAL
WILL HAVE A KEY ROLE TO PLAY IN CHANGES, AND HIS
COMMITMENT TO RULE OF LAW CAN BE GIVEN ADDED VIGOR BY
HIS VISIT.

3. THERE IS EVERY REASON TO THINK THAT IF PROGRAMMING
AGENCY REFUSES TO ACCEPT THE FOUR DAY DELAY, THE
ATTORNEY-GENERAL'S VISIT WILL HAVE TO BE CANCELLED.
HIS IS, IN OUR VIEW, THE MOST IMPORTANT IN THIS YEAR'S
BANGLADESH PROGRAM. WE THINK A LITTLE BIT OF EXTRA
EFFORT IS NOT TOO MUCH TO ASK IN THIS SETTING.
CHESLAW

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